

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

Uniloc 2017 LLC

Plaintiff

v.

Apple Inc.,

Defendant

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Case No. 6:19-cv-532

PATENT CASE

Jury Trial Demanded

**AGREED MOTION TO EXTEND TIME TO RESPOND TO
DEFENDANT APPLE INC.'S MOTION TO TRANSFER VENUE**

Plaintiff Uniloc 2017 LLC (“Uniloc”) and defendant Apple Inc. (“Apple”) respectfully moves the Court for an order extending the time for Uniloc to file its brief in response to Apple’s Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(a) (Dkt. No. 15). Uniloc’s current deadline to file its response brief is November 22, 2019.¹ The parties seek to extend the deadline to December 6, 2019.

On November 12, 2019, Apple filed its Motion to Transfer Venue of this case to the Northern District of California. Since November 13, 2019, counsel for Uniloc and Apple have conferred multiple times via email and by telephone concerning: 1) Uniloc’s request for an extension to file its response brief; 2) Uniloc’s request that Apple agree that certain venue discovery may be conducted in this case; and 3) Uniloc’s request that Apple produce promptly the venue discovery (e.g., deposition transcripts, interrogatory responses, document productions) that

¹ This is the second extension request pertaining to Uniloc’s response brief deadline. On November 19, 2019, Uniloc filed an unopposed motion to extend time to respond to Apple’s motion to transfer venue (Dkt. No. 22), which the Court granted.

was produced, exchanged, or designated in other Uniloc cases against Apple to Uniloc's counsel in this case (or alternatively, that Apple consent to Uniloc's counsel in these other cases to share the prior venue discovery with Uniloc's counsel in this case). During this past week, Apple did produce to Uniloc the venue discovery Apple provided to Uniloc during the 2018 WDTX Cases.

The extension is requested to allow for the parties to continue their negotiations concerning venue discovery in this case. In addition to their agreement that Uniloc's response brief deadline should be extended to December 6, 2019, the parties have also agreed to the following:

- 1) On or before November 25, 2019, Uniloc shall disclose to Apple whether Uniloc will seek venue discovery and, if so, identify the type and scope of venue discovery that it seeks. If Uniloc does not seek additional venue discovery it shall file its response brief on or before December 6, 2019. Apple reserves its rights to seek venue discovery after it receives Uniloc's responsive brief.
- 2) On or before November 26, 2019, Uniloc shall disclose to Apple any new venue-related facts, which Uniloc has not disclosed in its venue-related briefing in prior Uniloc cases against Apple, concerning Uniloc and third-parties that Uniloc intends to rely on in its briefing in response to Apple's motion in this case.
- 3) On or before December 3, 2019, the parties shall meet-and-confer concerning the venue discovery, if any, that the parties request. If the parties' negotiation results in an impasse, the parties anticipate that they will seek the Court's guidance.

The parties seek this extension not for delay but for good cause and that justice may be served. Uniloc agrees that it will not use this extension or the fact that case activity has occurred during this process as a basis to resist transfer.

Wherefore, Uniloc and Apple respectfully request that the Court order that the date by which Uniloc must respond to Apple's Motion to Transfer be extended until and including December 6, 2019.

Respectfully Submitted,

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**ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

A true and correct copy of the foregoing instrument was served or delivered electronically
via U.S. District Court [LIVE] – Document Filing System, to all counsel of record,

/s/ William E. Davis, III

William E. Davis, III